

DEPARTMENT OF TRANSPORTATION

District 7, Office of Local Assistance
and Alameda Corridors
100 S. Main St. 12th Floor
Los Angeles, CA 90012
Phone (213) 897-0784
Fax (213) 897-2999



*Flex your power!
Be energy efficient!*

June 13, 2016

Exhibit , 9-B, Annual Submittal Forms
For FFY 2016 - 2017

Mr. James T. Sparks
DBE Liaison Office
Assistant Deputy Director
Department of Public Works
Construction Division
County of Los Angeles
P. O. Box 1460
900 S. Fremont Avenue
Alhambra, CA 91802-1460

Dear Mr.Sparks:

We have reviewed your 9-D Submittal Exhibit Forms. It meets the basic requirements of 49 CFR Part 26.

Attached is a copy of your reviewed Forms for your records

Should you have any questions, please contact Vin Kumar of my staff at (213) 897-9336.

Sincerely

A handwritten signature in black ink, appearing to read "Steve Novotny".

↓ Steve Novotny, Chief
Office of Local Assistance
And Alameda Corridors

Attachments:

EXHIBIT 9-B LOCAL AGENCY DBE ANNUAL SUBMITTAL FORM

TO: CALTRANS DISTRICT 7
District Local Assistance Engineer

The information for Exhibit 9-B presented herein, in accordance with Title 49 of the Code of Federal Regulations (CFR), Part 26, and the State of California Department of Transportation (Caltrans) Disadvantaged Business Enterprise (DBE) Program Plan.

The County of Los Angeles submits our annual 9-B information for the Federal Fiscal Year 2016 /17, beginning on October 1, 2016 and ending on September 30, 2017.

Disadvantaged Business Enterprise Liaison Officer (DBELO)

Mr. James T. Sparks, Assistant Deputy Director
County of Los Angeles Department of Public Works, Construction Division
P.O. Box 1460
900 S. Fremont Avenue
Alhambra, CA 91802-1460
(626) 458-3100

Planned Race-neutral Measures

- Bid opportunities are posted on the Los Angeles County Bids and Awarded Bids and Contracts website, <http://camisvr.co.la.ca.us/lacobids/>.
- Project information and bid documents are available for viewing and purchasing on the Department of Public Works website, <http://dpw.lacounty.gov/general/contracts/opportunities/>.
- Bidder's packages of contract documents are available for review prior to purchase at the Cashier's Office, Mezzanine level, at the address above.
- Contract documents are distributed to contractor publications including the iSqFt Plan Room, and Construction Update & Minority Bidder Bulletin.
- Plan holder lists are posted and available for each project on the Department of Public Works website.
- Attendance at various vendor and outreach events.

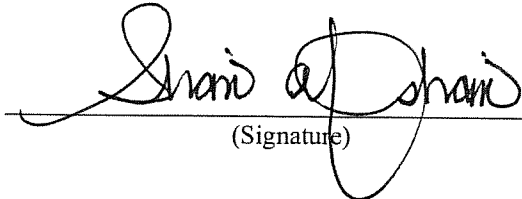
Prompt Pay

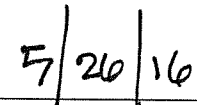
Federal regulation 49 CFR 26.29 requires one of three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime contractor or subcontractor to a subcontractor.

Prompt Pay Enforcement Mechanism

49 CFR 26.29(d) requires providing appropriate means to enforce prompt payment. These means may include appropriate penalties for failure to comply with the terms and conditions of the contract. The means may also provide that any delay or postponement of payment among the parties may take place only for good cause with the local agency's prior written approval. **Please briefly describe the monitoring and enforcement mechanisms in place to ensure that all subcontractors, including DBEs, are promptly paid.**

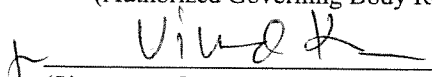
- A closing date for the purpose of estimating work completed to that date is established for each project.
- Monthly progress payments are processed.
- The amount of any Stop Notice is withheld from progress payments as provided by law.
- Subcontractors may notify the Resident Engineer or Office Engineer if they allege not being paid promptly. Incidents will be investigated. If the allegations are determined to be accurate, the appropriate contractual and/or legal remedies will be applied.

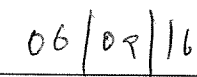

(Signature)


(Date)

Shari Afshari, Deputy Director
(Print Name and Title)
ADMINISTERING AGENCY
(Authorized Governing Body Representative)

(626) 458-4008
(Phone Number)


(Signature of Caltrans District Local Assistance Engineer)


(Date)

Distribution: (1) Original – DLAE
(2) Signed copy by the DLAE – Local Agency

(Attachment)

**Prompt Payment of Withheld Funds to
Subcontractors**

Federal regulation (49 CFR 26.29) requires one of the following three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime contractor or subcontractor to a subcontractor.

Please check the box of the method chosen by the local agency to ensure prompt and full payment of any retainage.

- ☐ **Method 1:** No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
- ☐ **Method 2:** No retainage will be held by the agency from progress payments due to the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
- ☒ **Method 3:** The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative or judicial remedies otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.



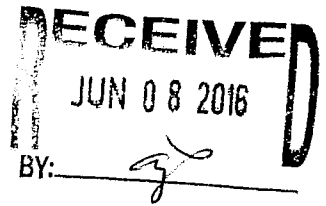
GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>



ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: C-1

May 26, 2016

Enc

Mr. David Sosa
District 7, Chief Office of Local Assistance and Alameda Corridors
Department of Transportation
100 South Main Street, 12th Floor
Los Angeles, CA 90012

Dear Mr. Sosa:

DISADVANTAGED BUSINESS ENTERPRISE ANNUAL SUBMITTAL

In accordance with Chapter 9 of the Local Assistance Procedures Manual, enclosed is Exhibit 9-B Local Agency Disadvantaged Business Enterprise Annual Submittal Form for Federal Fiscal Year 2016-17.

If you have any questions, please contact Mr. Erik Updyke at (626) 458-4914 or eupdyke@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

JAMES T. SPARKS
Assistant Deputy Director
Construction Division

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Enc.